

PATENT COOPERATION TREATY


PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 09 JUN 2004

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Applicant's or agent's file reference NORDSON14WO		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/JP 03/03861	International filing date (day/month/year) 27.03.2003	Priority date (day/month/year) 29.03.2002	
International Patent Classification (IPC) or both national classification and IPC B05D1/12, B05D1/12			
Applicant NORDSON CORPORATION et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p>			
<p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 2 sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>			
Date of submission of the demand 20.08.2003		Date of completion of this report 08.06.2004	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized Officer Persichini, C Telephone No. +49 89 2399-8617	



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/JP 03/03861**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-25 as originally filed

Claims, Numbers

1-11 as originally filed

12-17 filed with telefax on 31.10.2003

Drawings, Sheets

1/4-4/4 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
 - ☐ the language of publication of the international application (under Rule 48.3(b)).
 - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority in written form.
 - ☐ furnished subsequently to this Authority in computer readable form.
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- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4. The amendments have resulted in the cancellation of:
- ☐ the description, pages:
 - ☐ the claims, Nos.:
 - ☐ the drawings, sheets:

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**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/JP 03/03861**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	4,7,8,10-12,14,15
	No: Claims	1, 2, 3, 5, 6, 9, 13, 16, 17
Inventive step (IS)	Yes: Claims	
	No: Claims	1-17
Industrial applicability (IA)	Yes: Claims	1-17
	No: Claims	

2. Citations and explanations

see separate sheet

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EXAMINATION REPORT - SEPARATE SHEET

D1: JP-A-63 119 877

D2: JP-A-60 005 251

D3: US-A-2 545 445

1. The wording of claim 1 does not exclude that "dispensing the liquid from said flow passage by a valve" comprises dispensing the liquid into one of the vessels. Therefore, even document D3 is to be considered novelty destroying: fine solids containing liquid (see D3, column 1, line 6,7 and column 2, lines 5-8) is caused by a pressure difference (how else?) which can be taken as read to be in the wide-stretched range defined in claim 1 to be dispensed eg from vessel 11 (reference signs according to D3) into vessel 14 by valve 16; valves 15, 16 and the diameter of pipe 12 serve as "flow rate regulating means".

Thus, claim 1 does not meet the requirements of Art. 33(2) PCT.

2. No difference can be seen between the subject-matter of claim 1 and the liquid dispensing methods disclosed in either of documents D1 and D2. For example D1 discloses a liquid dispensing method wherein the flow rate of fine solids containing liquid ("dispersion type liquid") through a passage 2 (reference signs according to D1) connecting two vessels 1 and 11 is regulated by a flow rate regulating means (tube diameter, pressure difference, amount dispensed through valve 26) and the flow is actuated by a pressure difference between the two vessels which pressure difference can be taken as read to be within the wide-stretched pressure range defined in claim. The liquid is branched off from the flow passage and dispensed by a valve 26.

3. The features of the apparatus defined in independent claim 17 are also all disclosed in each of documents D1 to D3. Thus claim 17, as well, does not meet the requirements of Art. 33(2) PCT.
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4. Each of documents D1 to D3 discloses the general principle on which the application and the embodiments defined in the claims are based, namely to circulate a relatively large stream of fine solids containing liquid between two vessels in order to allow a small portion of the solids containing liquid to be branched off and dispensed through a valve with a high dosage accuracy and at reduced risk of clogging the dispensing valve.

Bearing in mind this fact, the features of the dependent claims are either not new or are considered evident in view of the routine proceedings a responsible engineer carries through in order to optimize a process with regard to the respective

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INTERNATIONAL PRELIMINARY

International application No. **PCT/JP 03/03861**

EXAMINATION REPORT - SEPARATE SHEET

circumstances. Consequently, the dependent claims do not meet the requirements of Art. 33(2) or (3) PCT.

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